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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/019,614	02/06/1998	ARI KOSKI	460-007777-U	2231
2512	7590	04/08/2004	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			GRIER, LAURA A	
			ART UNIT	PAPER NUMBER
			2644	

DATE MAILED: 04/08/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/019,614

**Applicant(s)**

KOSKI ET AL.

**Examiner**

Laura A Grier

**Art Unit**

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>32</u> . | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-13** are rejected under 35 U.S.C. 102(e) as being anticipated by Wong et al.

Regarding **claim 1 and 5**, Wong et al. discloses an electronic device with equalized audio accessory and method for same. Wong discloses in figure 2 a portable radio communication an electronic device comprising a DSP (digital signal processor) - reference 206; coupled to an accessory device-reference 120, which constitutes at least one auxiliary device connection for connecting an auxiliary device; the accessory device stores audio parameters (column 3, lines 5-8) that are load into the DSP, and further supports two-way communication of data as disclosed in col. 3, lines 9-24 and further in col. 2, lines 52-57, Wong inherently discloses a microcontroller as evident by the fact the accessory includes an accessory circuit that enables the functions of the accessory, in which the accessory performs processes such as transmitting and receiving data to the electronic device, thus constituting as a microcontroller in an auxiliary device.

Regarding **claim 2**, Wong et al. further discloses radio accessory interface-reference 115, accessory device-reference 120 via the RAI for storing audio parameters (column 2, last paragraph) that are load into the DSP.

Regarding **claim 3**, Wong et al. further discloses radio accessory interface-reference 115 via signal lines 250 and 240 (figure 2) to accessory device-reference 120 with memory-reference 220 for storing audio parameters (column 2, last paragraph) that are load into the DSP.

Regarding **claim 4**, Wong et al. further discloses radio accessory interface-reference 115 via signal lines 250 and 240 (figure 2) to accessory device-reference 120 with memory-reference 220 (columns 2, last paragraph – column 3, line 5), which is indicative of a detection line and a connection bus transferring information between the electronic device and accessory device.

Regarding **claim 6**, Wong et al. discloses everything claimed as applied above (see claim 5). Wong et al. further discloses radio accessory interface-reference 115 via signal lines 250 and 240 (figure 2) to accessory device-reference 120 with memory-reference 220 (columns 2, last paragraph – column 3, line 5), which is indicative of a detection line and a connection bus transferring information between the electronic device and accessory device.

Regarding **claims 7 and 8**, Wong et al. discloses everything claimed as applied above (see claim 5). However, Wong et al. further discloses a transmitter/receiver unit of a mobile station figure 2-reference 110.

Regarding **claim 9**, Wong et al. discloses everything claimed as applied above (see claim 8). Wong et al. discloses an accessory device with a microphone and speaker (figure 1-references 120 and 130).

Regarding **claim 10**, Wong et al. further discloses (column 2, 2nd and last paragraph, column 4, line 40-45) indication of the parameters characterizing the accessory device.

Regarding **claim 11**, Wong et al. further discloses the DSP receiving audio parameters from the accessory device (figure 2 and column 3, 2nd paragraph).

Regarding **claim 12**, Wong et al. further discloses (column 2, 2nd and last paragraph, column 4, line 40-45) indication of the parameters characterizing the accessory device.

Regarding **claim 13**, Wong et al. further discloses the DSP receiving audio parameters from the accessory device (figure 2 and column 3, 2nd paragraph).

### *Response to Arguments*

3. Applicant's arguments filed 1/20/04 have been fully considered but they are not persuasive.

The applicant's essential arguments are against the Wong et al. reference not disclosing the limitations thereof, "...a microcontroller in said auxiliary device...", the connection of the accessory circuit to the memory included in the accessory, wherein it (the accessory circuit) does not provided any processing of the audio parameters, and transmitting digital data. Regarding the microcontroller in the accessory (auxiliary) device, the accessory circuit in the accessory device clearly states that the circuit enables the functions of the accessory device wherein the accessory device transmits and receives data via the interface, which indicates the accessory device via the accessory circuit processing audio parameters/data between the audio device and the accessory device. Further, the argument against the accessory device actual reading on the auxiliary of processing audio parameters is supported by Wong, wherein, Wong's accessory device explicitly includes memory which stores audio parameters which may be transmitted to the electronic device, and the accessory device processes other parameters to the filters, and with the accessory circuit enabling the functions of the accessory device, the accessory device teaches processing of audio parameters, even in respect the function of the memory, even though the

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connection of the memory and accessory circuit is not explicitly indicated in the drawing. Wong also supports the transmission of digital data as evident by the use of the DSP and digital filters, wherein the accessory circuit transmits filter coefficients to the electronic device. Thus, the Wong et al. rejection is applicable to the invention as claimed, wherein the claim language of the claimed invention is being interpreted to the broadest extent.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kitamura, U. S. Patent No. 6674864 discloses adaptive speaker compensation system for a multimedia computer system.

Ishii et al., U. S. Patent No. 6148243 discloses sound processing method and system.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura A Grier whose telephone number is (703) 306-4819. The examiner can normally be reached on Monday - Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks


Washington, D.C. 20231

**Or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

LAG   
April 2, 2004

  
MINSUN OH HARVEY  
PRIMARY EXAMINER